

REMARKS

Claims 1-13 are pending in this application. Claims 1-13 stand rejected. In light of the remarks set forth below, Applicant respectfully requests reconsideration and allowance of the claims as each of the claims is in immediate condition for allowance.

Claims 1-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,052,070 (“Kivela”). Applicant respectfully requests reconsideration and withdrawal of this rejection.

To anticipate a claim under 35 U.S.C. § 102, the cited reference must disclose every element of the claim, as arranged in the claim, and in sufficient detail to enable one skilled in the art to make and use the anticipated subject matter. See PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566 (Fed. Cir. 1996); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). A reference that does not expressly disclose all of the elements of a claimed invention cannot anticipate unless all of the undisclosed elements are inherently present in the reference. See Continental Can Co. USA v. Monsanto Co., 942 F.2d 1264, 1268 (Fed. Cir. 1991).

Among the limitations of independent claims 1 and 7 not present in the cited reference is first and second buttons being a single unit and that each of the first and second buttons are capable of being pressed and individually shifted towards and away from each other.

The Office Action asserts that rocker-type key 32 in Kivela, shown below, discloses Applicant's explicitly recited first and second buttons. Applicant respectfully disagrees. Applicant does not deny that button 32 is, as the Office Action asserts, a single unit. However, as button 32 is a rocker-type key (col. 4, lns. 44-49) where only one end can be pressed at any given time. The button in Kivela is activated only by being pressed. Each end of the rocker-type key 32 has only a single function. Each end of rocker-type key 32 cannot be individually shifted towards and away from each other as explicitly recited in Applicant's claim.

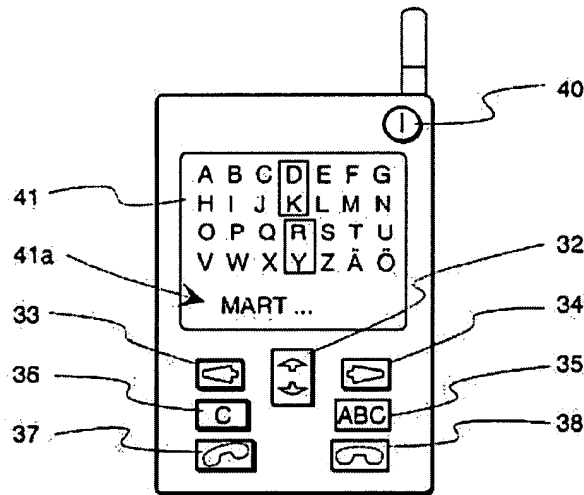


Fig. 3

In contrast, the claimed first and second buttons are able to be pressed and individually shifted towards and away from each other, thereby providing additional controls not present in Kivela.

Further, Applicant claims the scrolling and selecting features being performed by the first and second button, wherein the first and second buttons are a single unit.

In contrast, in Kivela, scrolling is performed using rocker-type key 32 and the selection occurs by shifting horizontally using keys 33 and 34. Col. 5, lines 32-44. Thus, it is clear that the scrolling and selection is not done by a single unit as explicitly recited in Applicant's claims. Therefore, reconsideration and allowance of Applicant's claims is respectfully requested.

Applicant has responded to all of the rejections and objections recited in the Office Action. In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

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Respectfully submitted,

By

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